IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

WILBER ENSLEY, ET AL.,	
Plaintiffs,)	
v.)	Civil Action No. 3:17-cv-00024-MHL
CITY OF RICHMOND, ET AL.,	
Defendants.)	

MOTION TO DISMISS OF DEFENDANTS ALSTON, CORRIGAN, HARRISON AND BLACKWELL

COME NOW Defendants Lieutenant Michael Alston, Lieutenant Brian Corrigan, Captain Martin Harrison, and Captain William Blackwell, by counsel and pursuant to Fed. R. Civ. P. 12(b)(6), hereby move to dismiss Plaintiffs' Complaint for failure to state a claim upon which relief can be granted. The grounds for this motion are more fully set forth in Defendants' Memorandum in Support of this Motion, which is filed herewith.

Dated: March 3, 2017 MICHAEL ALSTON, BRIAN CORRIGAN, MARTIN HARRISON, and WILLIAM BLACKWELL

By: /s/ Stephen C. Piepgrass

Ashley L. Taylor, Jr. (Va. Bar No. 36521)

Stephen C. Piepgrass (Va. Bar No. 71361)

Brooke K. Conkle (Va. Bar No. 87413)

TROUTMAN SANDERS LLP

1001 Haxall Point, P.O. Box 1122

Richmond, Virginia 23219

Telephone: (804) 697-1286

Facsimile: (804) 697-1339

E-mail: ashley.taylor@troutmansanders.com
E-mail: stephen.piepgrass@troutmansanders.com
E-mail: brooke.conkle@troutmansanders.com

Counsel for Michael Alston, Brian Corrigan, Martin Harrison and William Blackwell

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

<u>Counsel for Plaintiffs Wilbur Ensley, Covey Andrews, Shamar Archer, Deunte Humphries,</u> and Jamar Gilliam

Mark J. Krudys
The Krudys Law Firm, PLC
SunTrust Center
919 E. Main Street, Suite 2020
Richmond, VA 23219
Phone: (804) 774-7950

Fax: (804) 381-4458 Email: <u>mkrudys@krudys.com</u>

John Frederick Preis 7719 Rock Creek Road Henrico, VA 23229 Phone: (804) 289-8682 Email: jpreis@richmond.edu

Amy L. Austin
The Law Office of Amy L. Austin, PLLC
101 Shockoe Slip, Suite M
Richmond, VA 23219
Phone: (804) 343-1900
Fax: (804) 343-1901

Email: amyaustinlawyer@gmail.com

Counsel for Defendant City of Richmond

Stephen Hall Richard E. Hill, Jr. Office of the City Attorney 900 E. Broad St. Richmond, VA 23219

Phone: (804) 646-7946

Email: <u>Stephen.Hall@richmondgov.com</u> Email: <u>Richard.HillJr@richmondgov.com</u>

Counsel for Defendant Jason Norton

David P. Corrigan M. Scott Fisher, Jr. Harman Claytor Corrigan & Wellman 4951 Lake Brook Drive, Suite 100 Glen Allen, VA 23060-9272

Phone: (804) 762-8017 Email: dcorrigan@hccw.com Email: sfisher@hccw.com

Counsel for Defendant Bryan T. Norwood

Jonathan P. Harmon McGuireWoods Gateway Plaza 800 E. Canal St. Richmond, VA 23219-3916

Phone: (804) 775-4712 Email: jharmon@mcguirewoods.com

Counsel for Defendants Christopher Gleason, Charles Sipple, and Roger Russell

D. Cameron Beck, Jr. McCandlish Holton Morris 1111 E. Main Street, Suite 2100 P.O. Box 796 Richmond, VA 23218-0796

Phone: (804) 344-6322 Email: cbeck@lawmh.com

/s/ Stephen C. Piepgrass

Stephen C. Piepgrass (Va. Bar No. 71361)

TROUTMAN SANDERS LLP

1001 Haxall Point

Richmond, Virginia 23219

Telephone: (804) 697-1286 Facsimile: (804) 697-1339

E-mail: stephen.piepgrass@troutmansanders.com

30471297